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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 3410**  
Tsunehiro FUKUCHI et al. : Attorney Docket No. 2005\_0024A  
Serial No. 10/522,603 : Group Art Unit 1655  
Filed January 26, 2005 : Examiner Catheryne Chen  
CHINESE HERB MEDICINE COMPOSITION: **Mail Stop Amendment**  
IN THE FORM OF JELLY

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

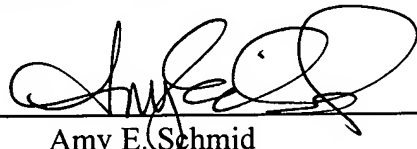
Responsive to the Office Action of March 13, 2008, constituting a requirement for election of a specific Chinese herbal medicine from claims 3-8, Applicants hereby elect, with traverse, the species recited in claim 8. Specifically, Applicants elect the species wherein the Chinese herbal medicine is selected from the group consisting of Kakkon-to and Sho-saiko-to.

This election is made while reserving Applicants' rights under 35 U.S.C. § 121 to file a divisional application for the non-elected subject matter.

Action on the merits is respectfully requested.

Respectfully submitted,

Tsunehiro FUKUCHI et al.

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March 31, 2008